

**Notice of Allowability**

Application No.

09/492,218

Applicant(s)

SITRICK, DAVID H.

Examiner

Art Unit

Marlon T. Fletcher

2837

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment after final filed on 05/16/2005.
2. ☒ The allowed claim(s) is/are 1-7,9-51,53-66,68,70-74,76,78-85,89,95 and 98-115.
3. ☒ The drawings filed on 27 January 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 03/21/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Marlon T. Fletcher  
Primary Examiner  
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1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claim 2, line 1, changed "previously amended" to - -previously presented - -.

In claim 3, line 1, changed "previously amended" to - -previously presented - -.

In claim 8, line 1, changed "previously canceled" to - - canceled - -.

In claim 12, line 1, changed "previously amended" to - -previously presented - -.

In claim 13, line 1, changed "previously amended" to - -previously presented - -.

In claim 14, line 1, changed "previously amended" to - -previously presented - -.

In claim 15, line 1, changed "previously amended" to - -previously presented - -.

In claim 16, line 1, changed "previously amended" to - -previously presented - -.

In claim 17, line 1, changed "previously amended" to - -previously presented - -.

In claim 19, line 1, changed "previously amended" to - -previously presented - -.

In claim 20, line 1, changed "previously amended" to - -previously presented - -.

In claim 21, line 1, changed "previously amended" to - -previously presented - -.

In claim 22, line 1, changed "previously amended" to - -previously presented - -.

In claim 23, line 1, changed "previously amended" to - -previously presented - -.

In claim 24, line 1, changed "previously canceled" to - - canceled - -.

In claim 25, line 1, changed "previously amended" to - -previously presented - -.

In claim 26, line 1, changed "previously amended" to - -previously presented - -.

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In claim 27, line 1, changed "previously amended" to - -previously presented - -.

In claim 28, line 1, changed "previously amended" to - -previously presented - -.

In claim 29, line 1, changed "previously amended" to - -previously presented - -.

In claim 30, line 1, changed "previously amended" to - -previously presented - -.

In claim 31, line 1, changed "previously amended" to - -previously presented - -.

In claim 32, line 1, changed "previously amended" to - -previously presented - -.

In claim 33, line 1, changed "previously amended" to - -previously presented - -.

In claim 35, line 1, changed "previously amended" to - -previously presented - -.

In claim 36, line 1, changed "previously amended" to - -previously presented - -.

In claim 37, line 1, changed "previously amended" to - -previously presented - -.

In claim 38, line 1, changed "previously amended" to - -previously presented - -.

In claim 39, line 1, changed "previously amended" to - -previously presented - -.

In claim 41, line 1, changed "previously amended" to - -previously presented - -.

In claim 42, line 1, changed "previously amended" to - -previously presented - -.

In claim 43, line 1, changed "previously amended" to - -previously presented - -.

In claim 44, line 1, changed "previously amended" to - -previously presented - -.

In claim 46, line 1, changed "previously amended" to - -previously presented - -.

In claim 47, line 1, changed "previously amended" to - -previously presented - -.

In claim 51, line 1, changed "previously amended" to - -previously presented - -.

In claim 63, line 1, changed "previously amended" to - -previously presented - -.

In claim 67, line 1, changed "previously canceled" to - - canceled - -.

In claim 68, line 1, changed "previously amended" to - -previously presented - -.

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In claim 69, line 1, changed "previously canceled" to - - canceled - -.

In claim 70, line 1, changed "previously amended" to - -previously presented - -.

In claim 76, line 1, changed "previously amended" to - -previously presented - -.

In claim 79, line 1, changed "previously amended" to - -previously presented - -.

In claim 80, line 1, changed "previously amended" to - -previously presented - -.

In claim 81, line 1, changed "previously amended" to - -previously presented - -.

In claim 88, line 1, changed "previously canceled" to - - canceled - -.

In claim 93, line 1, changed "previously canceled" to - - canceled - -.

In claim 96, line 1, changed "previously canceled" to - - canceled - -.

In claim 99, line 1, changed "previously added" to - -previously presented - -.

In claim 100, line 1, changed "previously added" to - -previously presented - -.

In claim 101, line 1, changed "previously added" to - -previously presented - -.

In claim 102, line 1, changed "previously added" to - -previously presented - -.

In claim 103, line 1, changed "previously added" to - -previously presented - -.

In claim 104, line 1, changed "previously added" to - -previously presented - -.

In claim 105, line 1, changed "previously added" to - -previously presented - -.

In claim 106, line 1, changed "previously amended" to - -previously presented - -.

In claim 107, line 1, changed "previously amended" to - -previously presented - -.

In claim 108, line 1, changed "previously amended" to - -previously presented - -.

In claim 109, line 1, changed "previously amended" to - -previously presented - -.

In claim 110, line 1, changed "previously amended" to - -previously presented - -.

In claim 111, line 1, changed "previously added" to - -previously presented - -.

In claim 112, line 1, changed "previously added" to - -previously presented - -.

### ***Drawings***

1. The drawings are objected to because there are boxes in figures which are not labeled (eg. figure 14).


Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marlon T. Fletcher whose telephone number is 571-272-2063. The examiner can normally be reached on M-W, F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on 571-272-2107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Marlon T. Fletcher  
Primary Examiner  
Art Unit 2837

MTF  
May 27, 2005